



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/983,042	10/22/2001	Richard Rodriguez Val	06975-092001	8286
26171	7590	06/23/2005	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			SHAH, KAMINI S	
			ART UNIT	PAPER NUMBER

2142

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

4

## Office Action Summary

Application No.

09/983,042

Applicant(s)

RODRIGUEZ VAL ET AL.

Examiner

Kamini S. Shah

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 40-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-17, 19, 22, 40-50, 52-56, 58 and 61 is/are rejected.
- 7) ☒ Claim(s) 12, 18, 20, 21, 51, 57, 59 and 60 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/18/02; 3/11/05</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-11, 13-17, 19, 22, 40-50, 52-56, 58, and 61 rejected under 35 U.S.C. 102(b) as being anticipated by Evans, Shara, "Tunnelling through the web", STANDARD WATCH, 'Online': March 1999; cited by applicant and W. Townsley et al "Layer 2 Tunneling Protocol "L2TP" IETF, 'Online'; August 1999, cited by applicant.

Regarding to claimed invention, Evans and Townsley teaches a method for a host system to communicate with and to identify at least one client device (such as Tunnelling through WEB enables remote users and distributed private networks, as in Evans document, and user obtains L2 connection over the network as in Townsley document), the method comprising:

Enabling communications from a first client device through the network address translator (such as user would connect to an ISP or corporate network using a PSTN/ISDN modem, see Encapsulation section of Evans document);

Receiving a data packet that includes a payload portion and an attribute portion, wherein the attribute portion includes a destination address (such as Tunnelling section);

Examining a portion of the received data packet other than the nearest source address for a host-assigned identifier (such as Encryption and authentication); and processing the received data packet in accordance with predetermined host system control which includes parental controls (such as IPSec protocol for protecting L2TP traffic over IP and non-IP networks). See Topology in section 2.0 of Townsley document, which includes the steps of enabling communication, receiving a data packet, examining a portion of the received data and processing the received data packet.

Regarding to other claimed features of the dependent claims 2-11, and 13-17, 19 and 22, both references discloses limitations such as first client and second client, a tunneling protocol, the first client device using L2TP and first client enabling communications without using cookies, see documents in whole.

Regarding claims 40-50, 52-56 and 58, 61 claims the similar limitations as in claims 1-11, 13-17, 19, 22, therefore claims are rejected for the similar reasoning.

***Allowable Subject Matter***

3. Claims 12, 18, 20, 21, 51, 57 and 59, 60 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

None of the cited documents teach assigning the first and second identifier such that the host system may uniquely identify the first and second client device through identifier. Additionally, cited art does not teach the attribute portion of the received data packet further includes a source address that identifies the network address translator


Art Unit: 2142

device as in claim 18, and user identifier includes a user name and password as in claims 20 and 21.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamini S. Shah whose telephone number is 571-272-2279. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B. Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kamini S Shah  
Primary Examiner  
Art Unit 2142

kss